

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 1:24-cv-20546

WINSTON MARACALLO,

Plaintiff,

v.

CUSANO AIR CONDITIONING &
HEATING, INC. AND JOHN E. CASANO,

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, Cusano Air Conditioning & Heating, Inc., and John E. Cusano ("Defendants"), by and through its undersigned counsel, hereby moves for entry of an Order granting it a 14-day extension of time, up to and including April 11, 2024, within which to serve their response to the Complaint filed by Plaintiff. In support of this motion, Defendants state as follows:

1. Plaintiff filed a Complaint against Defendants alleging violations of the Fair Labor Standards Act. Plaintiff served his Complaint upon Defendants on March 7, 2024. Defendants' response to Plaintiff's Complaint is therefore due on March 28, 2024.

2. Counsel for Defendants have just been retained and are in the process of investigating Plaintiff's claims and preparing Defendants' responses. Defendants require additional time to investigate the allegations contained in the Complaint and prepare a response.

3. Defendants' request for an extension of time should be granted pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, which provides in part: "[w]hen an act may or must

be done within a specified time, the court may, for good cause, extend the time...if the court acts, or if a request is made, before the original time or its extension expires ...”

4. This extension is sought in good faith and not for purposes of delay. Moreover, this extension will not delay the trial of this matter.

5. Defendants’ counsel has corresponded with Plaintiff’s counsel regarding the subject matter of this motion, and counsel has agreed to the extension requested.

For these reasons, Defendants’ respectfully request the entry of an order granting them an extension of time, up to and including April 11, 2024, within which to serve their response to Plaintiff’s Complaint.

Date: March 27, 2024

Respectfully submitted,

By: /s/ Charles S. Caulkins

Charles S. Caulkins
Florida Bar No. 461946
ccaulkins@fisherphillips.com
FISHER & PHILLIPS LLP
201 East Las Olas Boulevard, Suite 1700
Fort Lauderdale, Florida 33301
Phone: (954) 525-4800
Facsimile: (954) 525-8739